

September __ 2014

To: President and Board of Trustees
Village of Barrington Hills

RE: Application for Text Amendment -
Horse Boarding

This is to advise you that the Zoning Board of Appeals (ZBA) held four separate public hearings regarding proposed amendments to the zoning code relative to horse boarding. Applications for such purpose have been submitted by Benjamin LeCompte, the Barrington Hills Riding Club and Jason Elders, James Drury and James Hammond. Hearings on the LeCompte and Riding Club Applications were held on July 21, 2014, and hearings on the Drury and Hammond Applications were held on September 9, 2014. The hearings were held at Countryside Elementary School, where a quorum was present for each hearing. Notice of the hearings was published in compliance with the Open Meetings Act, and published in a timely manner in the Daily Herald.

At each hearing, the ZBA heard testimony from the Applicants and/or their representatives, and from the public at large.

FACTS

The Village zoning code, Title 5 – Zoning Regulations, Chapter 5 Administration, Section 5-10-6 allows for amendments to the zoning code. Section 5-10-6 (A) provides:

Authority: For the purposes of promoting the public health, safety, morals, comfort and general welfare, conserving the values of property throughout the village, and lessening or avoiding congestion in the public roads and highways, the president and the board of trustees of the village may, from time to time, in the manner hereinafter set forth, amend the regulations imposed and the districts created by this title; provided, that in all amendatory ordinances adopted under the authority of this section, due allowance shall be made for existing conditions, the conservation of property values, the directions of building development to the best advantage of the entire Village, and the uses to which property is devoted at the time of the effective date hereof. (Ord. 63-1, 4-1-63)

For purposes of an amendment to the text of the zoning code, the ZBA must make findings of fact and its recommendation to the Board of Trustees in writing, pursuant to section 5-10-6(F), which provides:

F) Findings of Fact and Recommendations of the Zoning Board of Appeals:
Within a reasonable time after the close of the hearing on a proposed amendment, the Zoning Board of Appeals shall make written findings of fact

and shall submit same together with its recommendation to the Board of Trustees of the Village. . . .

The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. . . .

On September 11, 2014, the ZBA met to commence discussion on the facts presented on each of the four Applications for Text Amendment. The first Application to be discussed was the LeCompte Application. ZBA Member Kurt Anderson opened discussion of the LeCompte Application, by presenting an amendment to the Application. The LeCompte Amendment, as amended by Member Anderson is attached hereto. Member Anderson moved to recommend the amended Text Amendment. The Motion to recommend the LeCompte Amendment, as amended, was seconded by ZBA Member Karen Rosene. Considerable discussion ensued over the amendment Member Anderson proposed to the LeCompte Amendment, which provides as follows (Anderson amendments highlighted in red text).

FINDING

The ZBA, after having examined the amendment to the LeCompte Application for Text Amendment, as presented by Member Anderson, and taking into consideration the testimony of heard in the public hearings as to each of the four applications for text amendment for horse boarding, adopted the following finding as to the Anderson Amendment to the LeCompte Text Amendment:

1. That the ordinance, as proposed, addresses the concerns of the health, safety, and welfare of the community arising out of the breeding and training of horses and riders within the village. It's designed to eliminate or address the issues of nuisance, as well as traffic and safety for residents of the village.

This finding was adopted on a 5-2 vote with Members Anderson, Freeman, Rosene, Benkendorf and Chambers voting “aye,” and Members Stieper and Wolfgram voting “no.” The motion to adopt this finding carried.

RECOMMENDATION

The Application for Text amendment, as amended by Member Anderson was adopted on a 4-3 vote to recommend, with Members Anderson, Freeman, Rosene and Benkendorf voting “aye” and Members Stieper, Wolfgram and Chambers voting “no.” The motion to recommend carried.

Respectfully submitted,

Zoning Board of Appeals
Village of Barrington Hills